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STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

August 7, 2020

Sent via E-mail: lbrunell@nc-sara.org
National Council for State Authorization Reciprocity Agreements
Board of Directors
3005 Center Green Drive; Suite 130
Boulder, Colorado 80301

Re: Nomination of Carolyn Fast to fill a vacancy on the NC-SARA Board

Dear Members of the Board:

We, the Attorneys General of Maryland, Delaware, Illinois, Iowa, Maine, Massachusetts, Minnesota, Nevada, New York, North Carolina, Oregon, Pennsylvania, Washington, and Wisconsin, along with the Office of the Attorney General of the State of Connecticut¹ write to nominate Carolyn Fast, Special Counsel at the New York State Attorney General's Office for a position on the NC-SARA Board of Directors. As discussed below, state Attorneys General have extensive experience and expertise in consumer protection issues in higher education, and Ms. Fast would bring a unique perspective that would ensure that consumer protection is part of the Board's discussions.

Inclusion of an individual from a state Attorney General's office on the NC-SARA Board would further your mission to "increase the quality and value of higher learning credentials earned via distance education, and to assure students are well served in a rapidly changing education landscape" by bringing valuable consumer protection insights to NC-SARA's decision-making process. The COVID-19 pandemic has further accelerated the changing education landscape, and NC-SARA needs to help ensure that the hundreds of thousands of post-secondary students moving to remote education for the first time this year are protected from fraud and abuse.

State Attorneys General offices have extensive expertise related to consumer protection issues in higher education arising from our role in enforcing state consumer protection laws. In the last ten years, state Attorneys General in all fifty states have exposed fraud against students across the country. We have investigated allegations of unlawful conduct, entered into nationwide multistate settlements, filed lawsuits against unscrupulous actors, informed hundreds of thousands of defrauded students about relief options, and obtained hundreds of millions of dollars in refunds

¹ This letter is signed by Joseph J. Chambers, Assistant Attorney General and Finance Department Head, Office of the Attorney General of the State of Connecticut.

and canceled loans where our state laws were violated. We also review complaints from students, providing an on the ground view of issues that students face.

In recognition of this expertise, the U.S. Department of Education has included state Attorneys General offices in the negotiated rulemaking process for multiple federal regulations, including regulations governing state authorization and distance education; regulations setting forth “gainful employment” standards; and regulations addressing “borrower defense to repayment” claims.²

There are currently few direct representatives of state oversight agencies, and no representatives of state Attorneys General offices, on the NC-SARA Board. There are also no representatives of organizations that represent consumer or student interests. Adding a state Attorney General representative to the NC-SARA Board would be a step toward ensuring that state interests, as well as and consumer and student interests, are adequately represented on the Board.

The undersigned are pleased to nominate Carolyn Fast, Special Counsel in the Consumer Frauds Bureau of the New York State Attorney General’s Office, to the NC-SARA Board. Ms. Fast is committed to the collaborative work and success of NC-SARA and supports the development and implementation of an effective reciprocal state authorization process for postsecondary distance education that ensures the quality and value of distance education programs.

Ms. Fast has gained extensive knowledge in this field through her work at the New York Attorney General’s Office on higher education issues. In addition to significant experience working on investigations and enforcement of consumer-protection laws in the higher-education and student-lending sectors, she has served on multistate working groups on higher education issues and has organized multistate coalitions in support of comments on numerous federal regulations. She has experience working across multiple perspectives through her service as a negotiator representing state attorneys general offices during the U.S. Department of Education’s 2013-2014 Program Integrity and Improvement Negotiated Rulemaking, which considered state authorization requirements, and on the Distance Education Subcommittee during the Department’s 2019 Rulemaking on accreditation and state authorization requirements. She has been invited to present on higher education issues for consumer advocates, enforcement agencies, and industry associations. She has also testified to the New York State legislature concerning state higher education oversight.

For the reasons set forth above, we urge you to accept the nomination of Ms. Fast to the NC-SARA Board. We believe that inclusion of the state Attorney General offices’ perspective is critical to NC-SARA’s continued success in upholding its mission. Thank you very much for considering this nomination.

² Our offices view participation on the NC-SARA Board as non-partisan, like our sister states’ role as negotiators in the Department of Education’s negotiated rulemaking panels.

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Respectfully submitted,



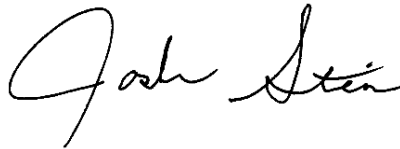
Brian E. Frosh
Maryland Attorney General



Letitia James
New York Attorney General



Kathleen Jennings
Delaware Attorney General



Joshua H. Stein
North Carolina Attorney General



Kwame Raoul
Illinois Attorney General



Ellen F. Rosenblum
Oregon Attorney General



Tom Miller
Iowa Attorney General



Josh Shapiro
Pennsylvania Attorney General



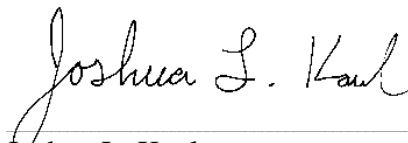
Aaron M. Frey
Maine Attorney General



Bob Ferguson
Washington State Attorney General



Maura Healey
Massachusetts Attorney General



Joshua L. Kaul
Wisconsin Attorney General

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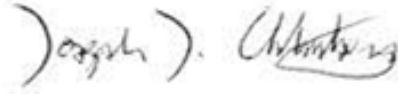
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A handwritten signature in blue ink that reads "Keith Ellison".

Keith Ellison
Minnesota Attorney General

A handwritten signature in blue ink that reads "A.D. Ford".

Aaron D. Ford
Nevada Attorney General

A handwritten signature in blue ink that reads "Joseph J. Chambers".

Joseph J. Chambers
Assistant Attorney General
Finance Department Head
Office of the Attorney General
State of Connecticut